

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 26, 2023

SEAN F. McAVOY, CLERK

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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF WASHINGTON

13 STATE OF WASHINGTON, et al.,

14 Plaintiffs,

15 v.

16 UNITED STATES FOOD AND DRUG
17 ADMINISTRATION, et al.

18 Defendants,

19 STATE OF IDAHO; STATE OF
20 IOWA; STATE OF MONTANA;
21 STATE OF NEBRASKA; STATE OF
22 SOUTH CAROLINA; STATE OF
23 TEXAS; STATE OF UTAH,

24 Plaintiffs-Intervenors,

Case No. 1:23-cv-03026

NOTICE OF APPEAL

1 The States of Idaho, Iowa, Montana, Nebraska, South Carolina,
2 Texas, and Utah (“State Intervenors”) hereby appeal to the United
3 States Court of Appeals for the Ninth Circuit from the Order Denying
4 State Intervenors’ Motion to Intervene, Dkt. #104, entered April 21,
5 2023.
6

7 Pursuant to Ninth Circuit Rule 3-2, State Intervenors’ Represen-
8 tation Statement is attached hereto.
9

10 Dated: April 26, 2023
11

12 /s/ Lincoln Davis Wilson
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CERTIFICATE OF SERVICE

I hereby certify that, on April 26, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Lincoln Davis Wilson

LINCOLN DAVIS WILSON (WA #53764)

RULE 3-2 REPRESENTATION STATEMENT

Pursuant to Ninth Circuit Rule 3-2(b) and in satisfaction of Federal Rule of Appellate Procedure 12(b), State Intervenor provide the following statement of the parties to this appeal and their respective counsel:

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10 * *Pro Hac Vice pending*
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